

VALERIE FLEMING and **PATRICK FLEMING** her husband,

Plaintiffs,

V.

**SAMUEL G. SANDERS, IV and
NATIONWIDE MUTUAL
INSURANCE COMPANY,**

Defendant.

2:18cv1653
Electronic Filing

MEMORANDUM ORDER

AND NOW, this 29th day of April, 2019, the Magistrate Judge having submitted a Report and Recommendation (ECF No. 21) recommending that this action be remanded pursuant to Federal Rule of Civil Procedure 12(b)(1), and the Report and Recommendation having been served on the parties, and defendants having filed objections,

Accordingly, after a *de novo* review of the pleadings and documents in this case, together with the report and recommendation and the objections thereto,

IT IS HEREBY ORDERED that Plaintiffs' motion to remand is **GRANTED** and this case is **REMANDED** to the Court of Common Pleas of Allegheny County, Pennsylvania for all further proceedings FORTHWITH;

IT IS FURTHER ORDERED that the objections are overruled;

IT IS FURTHER ORDERED that the Report and Recommendation of Chief Magistrate Judge Cynthia Reed Eddy (ECF No. 21) is hereby adopted as the opinion of the district court;

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case closed.

s/ DAVID STEWART CERCONE

David Stewart Cercone

Senior United States District Judge

cc: John E. Becker, Esquire
Michael J. Diamond, Esquire
Scott T. Redman, Esquire

(Via CM/ECF Electronic Mail)